

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

**IN RE: CENTURYLINK SALES
PRACTICES AND SECURITIES
LITIGATION**

MDL No. 17-2795 (MJD/KMM)

**CASE MANAGEMENT ORDER
NO. 3: STIPULATION AND
PROPOSED ORDER REGARDING
EFFECT OF CONSOLIDATED
CLASS ACTION COMPLAINT
AND UNDERLYING ACTIONS**

This document relates to
0:17-cv-02832, 0:17-cv-04613,
0:17-cv-04614, 0:17-cv-04615,
0:17-cv-04616, 0:17-cv-04617,
0:17-cv-04618, 0:17-cv-04619,
0:17-cv-04622, 0:17-cv-04943,
0:17-cv-04944, 0:17-cv-04945,
0:17-cv-04947, 0:17-cv-05001,
0:17-cv-05046

Pursuant to the Parties' Stipulation and Proposed Order Regarding Effect of Consolidated Class Action Complaint and Underlying Actions (the "Stipulation"), and for good cause shown, it is hereby ordered that:

1. Defendants expressly provide written consent to amend the pleadings in the following cases and to add named plaintiffs and other amended allegations to those complaints:

a. No. 0:17-cv-04613, No. 0:17-cv04615, No. 0:17-cv-04616, No. 0:17-cv-04617, No. 0:17-cv-02832, 0:17-cv-04945, 0:17-cv-04619, and 0:17-cv-04622;

2. Each named plaintiff in each Consumer Action shall have an opportunity to either voluntarily dismiss their action or file a Notice to Conform their constituent complaints to the Consolidated Class Action Complaint ("CCAC") filed in this matter

(Dkt. 38) no later than 21 days from the filing of this Order. A Consumer Action by any named plaintiff who does not voluntarily dismiss the action or file a Notice to Conform, as provided herein, shall be stayed in accordance with the Stipulation;

3. The parties have reserved all of their original rights, including their rights under 28 U.S.C. § 1407 and *Lexecon, Inc. v. Milberg Weiss Bershad Hynes & Lerach*, 523 U.S. 26 (1998), to have all underlying actions remanded to the District in which their matters were originally filed in at the conclusion of coordinated pretrial proceedings.

4. The Court orders that, for all current Consumer Actions filed against CenturyLink, Inc. and transferred to this MDL, service of the complaints shall be deemed accepted. Defendant waives no defense other than insufficient process and insufficient service of process (Rules 12(b)(4) and (5) of the Federal Rules of Civil Procedure), and Defendant expressly reserves all other defenses, including but not limited to defenses related to jurisdiction and venue.

5. The treatment of the CCAC and all underlying cases shall be handled in accordance to the Stipulation.

IT IS SO ORDERED.

Dated: _____

Honorable Michael J. Davis